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7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION
11

12 GOOGLE INC.,

13 Plaintiff,

14 v.

15 ROCKSTAR CONSORTIUM US LP and
MOBILESTAR TECHNOLOGIES LLC,

16 Defendants.
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CASE NO. 13-cv-5933-CW

**DECLARATION OF KRISTIN J.
MADIGAN IN SUPPORT OF
OPPOSITION OF GOOGLE INC. TO
ROCKSTAR'S RENEWED MOTION TO
TRANSFER OR STAY THIS ACTION**

Date: June 26, 2014
Time: 2:00 p.m.
Courtroom: Courtroom 2, Fourth Floor
Judge: Hon. C.J. Claudia Wilken

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2 I, Kristin J. Madigan, hereby declare as follows:

3 1. I am Of Counsel at Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff
4 Google Inc. I submit this declaration in support of the Opposition of Google Inc to Rockstar's
5 Renewed Motion to Transfer or Stay This Action. I have personal knowledge of the following
6 facts, and would competently testify to them if called upon to do so.
7

8 2. Attached hereto as Exhibit 1 is a true and correct copy of patent assignment record
9 Reel No. 031523, Frame No. 0182-90, from the United States Patent and Trademark Office.

10 3. Attached hereto as Exhibit 2 is a true and correct copy of *Rockstar v. Samsung*, 13-
11 0900 (E.D. Tex. Mar. 21, 2014), Docket No. 52-29.

12 4. Attached hereto as Exhibit 3 is a true and correct copy of an excerpt from the
13 www.fly.com website page with the result of a search for flights from Ottawa Macdonald-Cartier
14 International Airport to San Francisco International Airport.
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16 5. Attached hereto as Exhibit 4 is a true and correct copy of an excerpt from the
17 maps.google.com website page with the result of a search for driving directions from San
18 Francisco International Airport to the United States Courthouse in Oakland, California.

19 6. Attached hereto as Exhibit 5 is a true and correct copy of an excerpt from the
20 www.fly.com website page with the result of a search for flights from Ottawa Macdonald-Cartier
21 International Airport to Dallas/Fort Worth International Airport.
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23 7. Attached hereto as Exhibit 6 is a true and correct copy of an excerpt from the
24 maps.google.com website page with the result of a search for driving directions from Dallas/Fort
25 Worth International Airport to the United States Courthouse in Marshall, Texas.
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1 8. Attached hereto as Exhibit 7 is a true and correct copy of an excerpt from the
2 www.fly.com website page with the result of a search for flights from Ottawa Macdonald-Cartier
3 International Airport to Shreveport Regional Airport.

4 9. Attached hereto as Exhibit 8 is a true and correct copy of an excerpt from the
5 maps.google.com website page with the result of a search for driving directions from Shreveport
6 Regional Airport to the United States Courthouse in Marshall, Texas.

7 10. Attached hereto as Exhibit 9 is a true and correct copy of Defendants' Initial
8 Disclosures, *Google Inc. v. Rockstar Consortium US LP et al.*, No. 13-5933 (N.D. Cal.).

9 11. Attached hereto as Exhibit 10 is a true and correct copy of a website page from
10 www.LinkedIn.com for Don Lindsay.

11 12. Attached hereto as Exhibit 11 is a true and correct copy of *Rockstar v. Samsung*,
12 No. 13-0900 (E.D. Tex. Mar. 21, 2014), Docket No. 52-31.

13 13. Attached hereto as Exhibit 12 is a true and correct copy of Fifth Amended and
14 Restated Initial Order, *In The Matter of The Companies' Creditors Arrangement Act*, R.S.C. 1985
15 c. C-36, As Amended, Court File No. 09-CL-7950 (Ontario Superior Court of Justice, Jan. 14,
16 2009).

17 14. Attached hereto as Exhibit 13 is a true and correct copy Pre-Trial Brief of the
18 Monitor and Canadian Debtors, *In re Nortel Networks Inc., et al.*, 09-10138-KG, Docket No.
19 13553 (Bankr. D. Del. May 12, 2014).

20 15. Attached hereto as Exhibit 14 is a true and correct copy of *Rockstar v. Samsung*,
21 No. 13-0900 (E.D. Tex. Apr. 14, 2014), Docket No. 61-7.

22 16. Attached hereto as Exhibit 15 is a true and correct copy of Joff Wild, *Star Man*,
23 Intellectual Asset Management, July/August 2013, available at [http://www.ip-](http://www.ip-rockstar.com/Press_Releases/IAM%20Rockstar%20Article%20JulyAugust%202013.pdf)
24 [rockstar.com/Press_Releases/IAM%20Rockstar%20Article%20JulyAugust%202013.pdf](http://www.ip-rockstar.com/Press_Releases/IAM%20Rockstar%20Article%20JulyAugust%202013.pdf).

17. Attached hereto as Exhibit 16 is a true and correct copy of a table from www.uscourts.gov titled “U.S. District Courts—Median Time Intervals From Filing to Disposition of Civil Cases Terminated, by District and Method of Disposition, During the 12-Month Period Ending June 30, 2013.”

18. Attached hereto as Exhibit 17 is a true and correct copy of “2013 Patent Litigation Year in Review,” Lex Machina, Menlo Park, CA, 2014.

19. Attached hereto as Exhibit 18 is a true and correct copy of “Lex Machina Releases First Annual Patent Litigation Year in Review,” May 13, 2014, available at www.lexmachina.com/2014/05/patent-litigation-review/

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 23, 2014, in San Francisco, California.

By /s/ Kristin J. Madigan
Kristin J. Madigan

ATTESTATION

I, Matthew S. Warren, am the ECF user whose userid and password authorized the filing of this document. Under Civil L.R. 5-1(i)(3), I attest that Kristin J. Madigan has concurred in this filing.

DATED: May 23, 2014

/s/ Matthew S. Warren
Matthew S. Warren